

he was under constant observation—no soreness, no temperature, no complaint except constant vomiting of everything taken into stomach, and a gradually mounting pulse rate. Second day I advised exploratory operation but patient refused, and symptoms did not seem to warrant anything but watchful waiting. Third evening the man screamed out with pain and in less than half an hour was dead. Permission for post mortem was obtained from the coroner—findings: Liver—dark blue as from general bruise and a three inch rupture along the great vessels of the hilus; about a pint of bloody fluid in the abdomen; Ileum, about two feet from cecum was torn away from the mesenteric attachment for four inches and the part gangrenous—no pus in abdomen and no adhesions. Immediate death from embolism of the heart.

But space forbids me going on in this strain indefinitely, so let me end with a contrast in baby cases.

December 10. Primipara, a big healthy young girl full of life and "pep." She got up at 6 o'clock on the 10th, cooked her husband's breakfast. At 7 o'clock her bowels moved. At 7:30 they moved again. At 8:00 they felt as if they wanted to move again which seemed rather queer to the lady—but they did move, yet to be safe she reported to me. I got on the job in a half hour and she had one unmistakable labor pain, and the baby was in the bed, an eight-pound girl. So life and work goes in the country.

## Medicine Before The Bench

In this column will appear with appropriate comment, from month to month, court decisions and proceedings affecting the various phases of medical practice, the conduct of hospitals and the enforcement of public health laws.

### BOARD OF MEDICAL EXAMINERS AGAIN UPHOLD

Dr. John K. Suckow of Los Angeles was tried and found guilty by the Board of Medical Examiners for unprofessional conduct. His license was suspended for one year.

Dr. Suckow attacked the board's authority and decision in the Superior Court of Los Angeles County, alleging that the suspension of his license was in excess of the jurisdiction of the board, and that the law under which the board purported to act was unconstitutional; that the complaint against him was insufficient and the charges were not proven.

This array of objections was overruled by Superior Judge Jackson of Los Angeles, and the action of the board sustained.

Dr. Suckow appealed from Judge Jackson's decision, and the Appellate Court, in a decision handed down by Justice Shaw and concurred in by Justices Lawlor and Olney, has affirmed the procedure of the board in every particular, declaring the Act of 1913 regulating the practice of medicine as constitutional.

The constitutional character and power of the Board of Medical Examiners, and other similar boards are frequently questioned by those receiv-

ing or fearing adverse action. The Appellate Court disposes of this familiar objection to the board in these words: "It is now well established in this State that tribunals such as the Board of Medical Examiners or other boards empowered to revoke licenses which they have previously granted, for cause defined by the law, are not courts in the strict sense; they are not exercising 'the judicial power of the State' as that phrase is used in the constitution conferring judicial power upon courts, and that statutes creating such boards and conferring upon them such powers are constitutional."

To criticize the board and charge it with arbitrary action indicates ignorance or prejudice. Those who are informed know that whenever the Board of Medical Examiners exercises quasi-judicial power that its decisions are subject to review by the courts. The courts are open to others just the same as they were to Dr. Suckow.

The chief points raised in the case, as the decision cites, were raised in the case of *Lanterman v. Anderson*, 36 Cal. App., 472, and were decided adversely at that time. Roy S. Lanterman's license was revoked in 1916, after the board heard testimony relative to a criminal abortion.

As an interesting coincidence of the Appellate court's reference to this case, the board has just received a petition to restore the license of Lanterman. The petition urging the board to take favorable action is signed by prominent residents of La Canada who, doubtless, are not familiar with the court record.

## State Board of Medical Examiners

### COLLECTED CLIPPINGS ON MEDICAL LAW ENFORCEMENT

Dr. A. J. Landis, well-known physician of Chico arrested January 13, 1920, charged with violation of the State drug laws in the illegal sale of narcotics.

A similar charge was brought against Dr. Landis in April, 1911, but dismissed.

Chico Enterprise, 1/8/20.

Linden T. D. McCash, chiropractor (one of the incorporators of the Alameda County chiropractic association) was held to answer to the Superior Court on a charge of violating the medical act. Bail in the amount of \$100.00 was furnished by Mrs. J. Stitt Wilson, wife of the former mayor of Berkeley and Mrs. Ben. Wilson.

Berkeley Gazette, 1/14/20.

County Health Officer Pomeroy of Los Angeles swore to a complaint on January 8, 1920, charging Dr. James A. Gafford of Huntington Park for alleged failure to report two births, which by law must be reported within 36 hours.

Los Angeles Express, 1/8/20.

Poo On and B. T. Gum, Chinese herb doctors of Modesto arrested for traffic in narcotics.

Modesto Herald, 12/30/19.

Each was recently arrested for violation of the medical practice act for the second time in three months.

Fresno Republican, 1/21/20.

The trial of Poo On, Chinese herb specialist of Modesto, charged with practicing without a license, is set for February 25, 1920. He is represented by former Assemblyman Maddux.

Turlock Tribune, 1/16/20.

The following licensed practitioners of California have been cited to appear before the Board of Medical Examiners at the meeting in Los Angeles, February 17, 1920, to show cause why their license should not be revoked:

Steele, Gertrude F., Los Angeles, (Naturopath); McMath, J. G., Gardina, Cal.;

Palmer, Harry, Compton, Cal.;  
Walters, H. S., San Luis Obispo, Cal.;  
Lochman, Wm. H., Los Angeles, Cal.;  
Seiffert, John N., San Diego, Cal.  
Los Angeles Times, 1/14/20.

Frank M. Silva, prohibition enforcement officer for California reports he has the names of several doctors who had proposed to open small pharmacies for the purpose of dispensing whisky at high prices.  
San Francisco Call, 1/20/20.

Dr. Herman Silverman of Los Angeles, recently released from Patton Asylum, was recently arrested on a Federal indictment of 1918, charging that Dr. Silverman had professed to treat certain diseases and operated in conjunction with another man who made blood tests.  
Los Angeles Examiner, 12/26/19.

Mary Sovinez, nurse of Los Angeles, arrested by Special Agent O'Connell, Board of Medical Examiners, January 15, 1920, charged with performing an illegal operation on Vera Cox, aet. 21.  
Los Angeles Herald, 1/15/20.

The Los Angeles Record of January 21, 1920, prints a publicity advertisement for Francis Truth, healer, who but a few months ago paid a fine of \$300.00 into the court of Los Angeles and in addition had imposed a 180 day suspended jail sentence for practicing without a license.

Vita-Science is a new drugless cult prescribing "at sunrise one should breathe through the right nostril, the breath should change hourly on going down of the sun, one should be negative—one can learn to change his breath at will, either by placing the pit of the arm over the back of a chair, allowing the arm to swing lifeless while slowly counting and directing the breath from one nostril to the other—"

Los Angeles Times, 12/28/19.

Dr. Irving L. Ward, Yreka, indicted by the grand jury charged with criminal practice at liberty on \$2,000 bail.  
Yreka News, 12/18/19.

A charge of habitual intemperance against Dr. I. L. Ward, was dismissed by the Board of Medical Examiners at the October meeting.

Sarah J. Williams, a nurse of Los Angeles, arrested by Special Agent O'Connell, Board of Medical Examiners, charged with murder of Elsie Allen of Ontario, Cal. She was acquitted on a similar charge in the case of Lucille Halley who died December 16, 1919.  
Los Angeles Examiner, 1/22/20.

Dr. H. S. Walters, San Luis Obispo, was acquitted in the U. S. District Court, Los Angeles, of the charge of using the mails in connection with illegal operations.  
San Luis Obispo Telegram, 12/22/19.

The Board of Medical Examiners received four petitions criticizing the arrest of Alameda County and Contra Costa County chiropractors charged with practicing without a license, signed by 150 protestants as against 600 reported signatures by attorney Geo. Gelder, former Assemblyman of Oakland, as noted in the San Francisco Examiner of January 23, 1920.

### CHIROPRACTOR FOUND GUILTY

Following a series of vicious advertisements in certain Los Angeles newspapers, in which he called for help from members of Christian Science churches, Public School Protective League, Anti-Vaccination Society, American Medical Liberty League, etc., E. Bernard Hubley, chiropractor of Los Angeles, who calls himself "Back-Bone Hubley," was found guilty of practicing medicine in violation of the laws of California.

"According to the testimony before the jury," says a morning newspaper of Los Angeles, "that found him guilty, Thursday afternoon, Hubley has been practicing chiropractic in this city without a license from the State Board of Medical

Examiners. For a defense Hubley claimed that it was impossible to obtain a license and that he was not practicing medicine in any form. The jury debated for an hour before finding the defendant guilty.

"Police Judge Richardson, after suspending the 180-day jail sentence, placed Hubley on probation for two years and stated 'you must discontinue this practice until the State Board of Medical Examiners recognizes your style of treatment and issues the necessary license to practice.'"

### COURT DECISION REGARDING LOCATION OF A TUBERCULOSIS HOSPITAL

In a suit to enjoin the city of New Orleans from establishing and maintaining a tuberculosis hospital in the city, one of the objections of the plaintiffs, who lived in the vicinity of the proposed site, was that the hospital would endanger their health. The Supreme Court of Louisiana did not take this view. The court said:

"If it were proved with certainty that this hospital would endanger the health of this plaintiff or his family, perhaps a case might be presented for judicial interference. But the very opposite is conclusively shown by the evidence, which is all one way to the effect that a well-kept tuberculosis hospital is not a menace to the health of the people living in its vicinity; and the presumption is that this hospital will be well kept.

"Our conclusion is that the suit is groundless in so far as it is sought to be founded on the apprehended injurious character of the proposed hospital."—(U. S. Public Health Reports.)

### Department of Pharmacy and Chemistry

Edited by FELIX LENGFELD, Ph. D.

Help the propaganda for reform by prescribing official preparations. The committees of the U. S. P. and N. F. are chosen from the very best therapeutists, pharmacologists, pharmacognosists and pharmacists. The formulae are carefully worked out and the products tested in scientifically equipped laboratories under the very best conditions. Is it not plausible to assume that these preparations are, at least, as good as those evolved with far inferior facilities by the mercenary nostrum maker who claims all the law will allow?

Twenty-five barrels of whisky form the nucleus of a new pharmacy to be opened in this city. If the owner can get the necessary permit he will add a barrel of brandy, a barrel of gin, a barrel of sherry, a barrel of port and about \$250 worth of drugs and will thus be fully equipped for business. A prominent retail grocer is seriously considering opening a drug department in order to dispose of the wines and liquors on hand. A corporation having 200,000 gallons of whisky is purchasing small drug stores for the purpose of disposing of its holdings.

These items are not clipped from the pages of a comic weekly but are positive facts. They would be really funny excepting that they offer ammunition for those who would deprive the physician of the privilege of prescribing alcohol in any form and who would even go so far as to prevent the use of alcohol in the manufacture of all pharmaceutical preparations, including elixirs, tinctures, etc. Fortunately, the physician can solve this problem without any difficulty. A physician writing a liquor prescription must give the name of the druggist who is to fill it and it can be filled only by that druggist. If the physician will, therefore, send his prescription to the druggist whom he has been in the habit of patronizing, he will put a stop to the drug store for liquor only. He may be fairly certain that a liquor prescription sent to any reputable druggist will be filled with a fair quality of pure whisky.